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23650

PATENT TRADEMARK OFFICE

Attorney Docket No.: 6523.200-US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Pedersen et al.

Confirmation No. 9451

Application No.: 10/657,611

Group Art Unit: 3763

Filed: September 8, 2003

Examiner: Campbell, Victoria P.

For: Flow Restrictor With Safety Feature

AMENDMENT TO APPEAL BRIEF PER EXAMINER'S INSTRUCTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated April 21, 2009, please amend the above-captioned application and consider the remarks herewith as follows:

AMENDMENTS TO THE SPECIFICATION begin on page 2 of this paper.

REMARKS begin on page 4 of this paper.

AMENDMENTS TO THE SPECIFICATION:

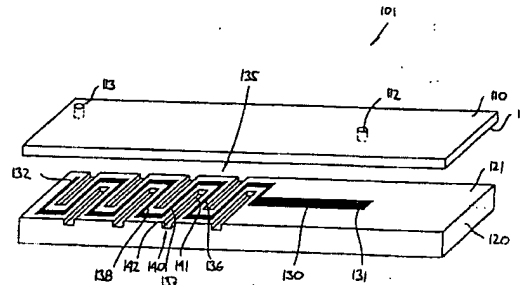
In response to the Notice of Non-Compliant Appeal Brief, please replace the existing page 4 in the Appeal Brief with the corrected page 4 found below. Changes to page 4 of the Appeal Brief are highlighted:

V. SUMMARY OF CLAIMED SUBJECT MATTER

A. Claim 1

Independent claim 1 is drawn to a flow restrictor as shown in the below figure.

Fig. 1A



In particular, the flow restrictor of claim 1 comprises a U-shaped flow channel (135) formed between two members (110, 120) where the flow channel has an inlet and an outlet and where the flow restrictor has a safety channel that has an end portion in fluid communication with an exterior space relative to the flow restrictor (spec. page 14, lines 1-4). Of importance for this appeal is the safety channel (140). The safety channel (140) of claim 1 is such that it is arranged to control undesired flow away from the flow channel to prevent short circuiting (spec. page 14, lines 1-4). As such –and as is explicitly required by the claim– the safety channel in claim 1 must be open to the exterior (spec. page 14, lines 1-4).

REMARKS:

Conclusion

In view of the above, Applicants submit that the Appeal Brief is now correct. Applicants believe that no additional fees are due. However, should any fees be due, the Commissioner is hereby authorized to charge any fees in connection with this application and to credit any overpayments to Deposit Account No. 14-1447. The undersigned invites the Examiner to contact him/her by telephone if there are any questions concerning this amendment or application.

Respectfully submitted,

Date: June 19, 2009

/Marc A. Began, Reg. No. 48,829/

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